

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki ARIOKA

Group Art Unit: 2653

Application No.: 09/886,105

Examiner: B. Vuong

Filed: June 22, 2001

Docket No.: 116546

For: OPTICAL RECORDING MEDIUM AND OPTICAL RECORDING METHOD

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the September 9, 2004 Office Action, reconsideration of the application is respectfully requested.

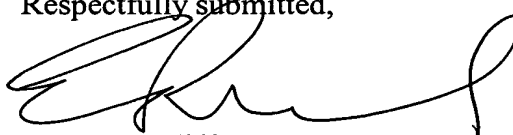
Claims 1-27 are pending in this application.

The Office Action rejects claims 1-8, 18 and 19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 11 and 12 of U.S. Patent No. 6,754,166.

The Office Action indicates that this rejection may be overcome by a timely filed terminal disclaimer in compliance with 37 C.F.R. §1.321(c). Accordingly, Applicant submits the enclosed terminal disclaimer to obviate the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-27 are earnestly solicited.

Respectfully submitted,



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JAO:ERM/aaw

Date: December 6, 2004

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